



# WILLIAM ROBERT GIBLIN AN AUTOCHTHONOUS JUDGE

THE HON. JUSTICE STEPHEN ESTCOURT AM

When Justice William Lambert Dobson was elevated to the role of Chief Justice of the Supreme Court of Tasmania on 7 February 1885, following the retirement of Sir Francis Smith, he was joined by Justice William Giblin. Dobson however, did not stay long with his brother judge.

As Dr J M Bennett observed in an article published in the *University of Western Australia Law Review* in 1977, entitled *Sir Henry Wrenfordsley: A Journeyman Judge*, Dobson, wished to take a year's leave in England, almost as soon as he was appointed as Chief Justice and he nominated Giblin, to act in his place and nominated Wrenfordsley, who had previously been a contentious Chief Justice of Fiji, as an acting puisne judge on half salary. As Bennett writes "[t]he Tasmanian government agreed, as did the Colonial Office on the understanding (by them, but not by Sir Henry) that he would have no further claim upon the chief justiceship of Fiji or upon any other colonial appointment".

Wrenfordsley arrived in Hobart in late February 1885, and was commissioned as a judge for one year from 6 March. His term was later extended by nearly two years to February 1887. In 1886, Wrenfordsley was the only judge sitting as Giblin had become ill. Bennett notes laconically "[f]ortunately for Tasmanians, there was little litigation then before the courts. Wrenfordsley's command of the law had not improved in his travels: his habit of 'playing to the gallery' had become worse".

Wrenfordsley also took a position as an acting judge of the Supreme Court of Victoria in 1888 and in 1891 he was appointed temporary acting Chief Justice

of the Western Australian Supreme Court. Later in 1891 he became Chief Justice of the Leeward Islands.

Giblin, like Smith CJ, was a former successful Premier of Tasmania, but Giblin's judicial career, unlike that of Smith, was very brief. He died in office as a result of heart disease on 17 January 1887, aged only forty-six years.

Giblin was Tasmania's first locally-trained Supreme Court judge, and as Acting Chief Justice he was Administrator of the Government in October-November 1886, thus becoming the first native-born Tasmanian to hold that office. According to Giblin's entry in the *Australian*

*Dictionary of Biography* by E M Dollery, after his death, Alfred Deakin described Giblin as "remarkably impressive" and "too big for his colony".

Giblin was born in Hobart on 4 November 1840, the son of William Giblin, who was a clerk to the Registrar of Deeds. His mother was Marion, née Falkiner. He was educated, in the beginning, at a school kept by his uncle Robert Giblin and afterwards at the Hobart High School, which had been established by the nonconformist Congregational Church as the answer to the Anglican school, Hutchins. He left school at the tender age of 13 and became a clerk in the law





firm of Allport and Roberts. He was subsequently articulated to John Roberts of that firm.

Giblin was an active Congregationalist with a love of reading and a fine memory. At the age of 22 he was delivering lectures on literary subjects. He taught Bible studies for many years and there is a plaque erected to commemorate that service at his old church in Elizabeth Street in Hobart, which is now the Korean Full Gospel Church. There is also a plaque dedicated to his work for the moral and social elevation of the underprivileged, at the former Congregational Church at 47 Davey Street Hobart. Giblin was also the driving force behind the

establishment of the Hobart Working Men's Club in 1864 and was the President of the Club for twenty-three years.

On 4 August 1864 he was admitted as a practitioner of the Supreme Court and entered into partnership with John Dobson and subsequently with one of Dobson's sons, Henry. The law firm was then known as Dobson and Giblin. His success in the courts was immediate and financially enabled him, on 5 January 1865, to marry Emmely Jean, daughter of John Perkins.

### Political Career

Giblin publicly advocated the building of a railway from Hobart to Launceston for

lowering the transport costs of primary producers. This made him popular and in 1869 he was petitioned by hundreds of voters to stand for election to the House of Assembly. He was elected unopposed for the seat of Hobart Town and, after electoral boundaries were altered, he represented Central Hobart in 1871-76 and Wellington in 1877-84.

He served as Attorney-General under Sir James Wilson in 1870-72 and in Alfred Kennerley's ministry in 1873-76. He joined the ministry of Sir Philip Fysh in August 1877 as Colonial Treasurer and Attorney-General, and was Premier from March to December 1878. From October 1879 to August 1884 he led a coalition government.

As Premier and Treasurer Giblin revived Tasmania's finances, secured the adoption of an equitable taxation policy and initiated an active programme of public works. In November 1883 he represented Tasmania at a Convention in Sydney which led to the drafting of a Bill to constitute the Federal Council.

It is sad that Giblin was said to be worn out by these heavy responsibilities and that he accepted appointment as a judge in an endeavour to assume a less onerous role. As already noted, he died on 17 January 1887 before enjoying a real opportunity to demonstrate his doubtless capacities as a jurist.

Justice Giblin was survived by his wife, four sons and three daughters. His second son, Lyndhurst Falkiner Giblin, was a distinguished scholar, soldier and the first Ritchie Professor of Economics at the University of Melbourne.

**THE HONOURABLE JUSTICE STEPHEN ESTCOURT AM**  
**Judge**  
**Supreme Court of Tasmania**



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